

IN THE UNITED STATES  
PATENT AND TRADEMARK OFFICE

Applicant: Carter, *et al.*

Serial No.: 09/924,110

Filed: August 7, 2001

For: "MATERIALS AND METHODS FOR  
IMPROVED BONE TENDON BONE  
TRANSPLANTATION"

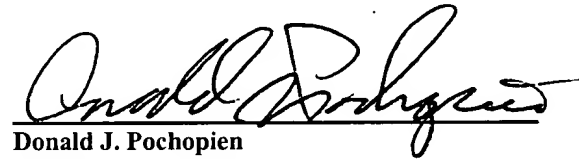
Group Art Unit: 3738

Examiner: Alvin J. Stewart

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Alexandria, VA 22313-1450 on this:

February 11, 2004



Donald J. Pochopien  
Registration No. 32,167  
Attorney for Applicants

#21  
Amth A  
S. Bryce  
8/18/04

AMENDMENT AND RESPONSE UNDER 37 C.F.R. § 1.111

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

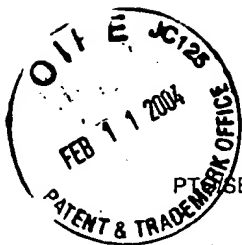
Sir:

In response to the Official Action of 09/24/2003 (the "Official Action"), for which a response is due 12/24/2003, now extended two (2) months to 2/24/2004, Applicants respectfully request entry of the following amendments before consideration of the response on the merits:

**Amendments to the Claims** begin on page 2 of this paper.

**Amendments to the Specification** begin on page 5 of this paper.

**Remarks/Arguments** begin on page 7 of this paper.



PTO 6B/17 (11-00)

Approved for use through 10/31/2002. OMB 0651-0032  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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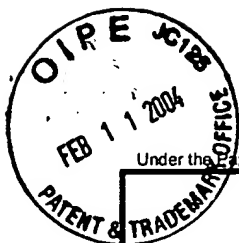
<b>FEE TRANSMITTAL</b> <b>for FY 2004</b>  Patent Fees are subject to annual revision.		<b>Complete if Known</b>	
		Application Number	09/924,110
		Filing Date	August 7, 2001
		First Named Inventor	Carter, et al.
		Examiner Name	Alvin J. Stewart
		Group Art Unit	3738
TOTAL AMOUNT OF PAYMENT	(\$)600.00	Attorney Docket No.	RTI-1181B 01915/13921US03

METHOD OF PAYMENT		FEE CALCULATION (continued)																													
<b>1.</b> <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:  Deposit Account Number: <b>13-0017</b> Deposit Account Name: <b>McAndrews Held &amp; Malloy</b> <input checked="" type="checkbox"/> Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17 <input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27		<b>3. ADDITIONAL FEES</b>																													
<b>2.</b> <input checked="" type="checkbox"/> Payment Enclosed: <input checked="" type="checkbox"/> Check <input type="checkbox"/> Credit Card <input type="checkbox"/> Money Order <input type="checkbox"/> Other																															
<b>FEE CALCULATION</b>																															
<b>1. BASIC FILING FEE</b>																															
<table border="1"><thead><tr><th>Large Entity Fee Code (\$)</th><th>Small Entity Fee Code (\$)</th><th>Fee Description</th><th>Fee Paid</th></tr></thead><tbody><tr><td>1001 770</td><td>2001 385</td><td>Utility filing Fee</td><td></td></tr><tr><td>1002 340</td><td>2002 170</td><td>Design filing Fee</td><td></td></tr><tr><td>1003 530</td><td>2003 265</td><td>Plant filing fee</td><td></td></tr><tr><td>1004 770</td><td>2004 385</td><td>Reissue filing fee</td><td></td></tr><tr><td>1005 160</td><td>2005 80</td><td>Provisional filing fee</td><td></td></tr><tr><td colspan="3"><b>SUBTOTAL (1) (\$)</b></td><td></td></tr></tbody></table>		Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid	1001 770	2001 385	Utility filing Fee		1002 340	2002 170	Design filing Fee		1003 530	2003 265	Plant filing fee		1004 770	2004 385	Reissue filing fee		1005 160	2005 80	Provisional filing fee		<b>SUBTOTAL (1) (\$)</b>					
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<b>2. EXTRA CLAIM FEES</b>																															
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**or number previously paid, if greater; For Reissues, see above																															
		<b>Other fee (specify) Fee Under 37 C.F.R. §1.17(p)</b>																													
		<b>SUBTOTAL (3) (\$)</b>																													
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<b>SUBMITTED BY</b>		<b>Complete (if applicable)</b>	
Name (Print/Type)	Donald J. Pochopien	Registration No. (Attorney or Agent)	32,167
Telephone	312-775-8000		
Signature			Date
			February 11, 2004

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TRANSMITTAL FORM		Application Number	
(to be used for all correspondence after initial filing)		09/924,110	
		Filing Date	
		August 7, 2001	
		First Named Inventor	
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Group Art Unit		3738	
Examiner Name		Alvin J. Stewart	
Attorney Docket Number		RTI-118IB 01915/13921US03	
Total Number of Pages in This Submission		34	
ENCLOSURES (check all that apply)			
<input checked="" type="checkbox"/> Fee Transmittal Form <input checked="" type="checkbox"/> Fees Attached - \$420.00 for Request for 2 Month Extension; and \$180.00 for Fee Under 37 CFR §1.17(p) <input checked="" type="checkbox"/> Amendment and Response Under 37 C.F.R. §1.111 with Exhibit A attached <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input checked="" type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input checked="" type="checkbox"/> Supplemental Information Disclosure Statement <input checked="" type="checkbox"/> PTO-1449 with 1 Cited Reference <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53		<input type="checkbox"/> Assignment Papers (for an Application) <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD Number of CD(s) _____	
Remarks		<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Response Postcard	
SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT			
Firm or Individual Name	Donald J. Pochopien, Reg. No. 32,167 McAndrews Held & Malloy, Ltd.		
Signature			
Date	February 11, 2004		
CERTIFICATE OF MAILING			
"Express Mail" mailing label number EV 304941356 US			
Date of Deposit: February 11, 2004			
Name (Print/type)	Donald J. Pochopien	Registration No. (Attorney/Agent)	32,167
Signature		Date	02/11/2004

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